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Dated: October 19, 2005

Signature: Shawn P. Foley  
(Shawn P. Foley)

Docket No.: OCIRS 3.3-077  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Nosker et al.

Application No.: 10/501,701

Group Art Unit: 1711

Filed: May 5, 2005

Examiner: Not Yet  
Assigned

For COMPOSITIONS AND METHODS OF  
: MAKING PLASTIC ARTICLES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT AND**  
**CERTIFICATION PURSUANT TO 37 C.F.R. § 1.97(e) (1)**

Dear Sir:

It is respectfully requested that the reference listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of the reference is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited reference is legally available prior art or that the same are pertinent or material.

Pursuant to 37 C.F.R. § 1.97(e) (1), undersigned counsel hereby certifies that each item of information contained in the accompanying Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application to the above-referenced patent application not more than three months prior to the filing of said statement.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: October 19, 2005

Respectfully submitted,

By Shawn P. Foley  
Shawn P. Foley  
Registration No.: 33,071  
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LD-4561



PTO/SB/08a/b (07-05)

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Substitute for form 1449A/B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

				<b>Complete If Known</b>
Application Number				10/501,701-Conf. #7140
Filing Date				May 5, 2005
First Named Inventor				Thomas J. Nosker
Art Unit				1711
Examiner Name				Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number
				OCIRS 3.3-077

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>4</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
BA	CA-2,199,467		03-11-1996	Dow Chemical		

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### NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature 602901	/Jeffrey Mullis/	Date Considered	06/21/2007
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1711

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Dated: May 23, 2005

Signature:

*Shawn P. Foley*  
(Shawn P. Foley)

Docket No.: OCIRS 3.3-077  
(PATENT)

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Filing Date: May 5, 2005

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Assigned

For: COMPOSITIONS AND METHODS OF  
MAKING PLASTIC ARTICLES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed Form PTO-1449 be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference is enclosed. These references were cited in the background section of the present specification and/or a corresponding International Search Report, a copy of which is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: May 23, 2005

Respectfully submitted,

By *Shawn P. Foley*  
Shawn P. Foley  
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Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	10/501,701
				Filing Date	May 5, 2005
				First Named Inventor	Thomas J. Nosker
				Art Unit	1711
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	OCIRS 3.3-077

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		Number-Kind Code <sup>2</sup> (if known)			
/J.M./	AA	US-4,110,420-A	08-29-1978	Turner	
/J.M./	AB	US-5,098,610-A	03-24-1992	Okamura et al.	
/J.M./	AC	US-5,789,477-A	08-04-1998	Nosker et al.	
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/J.M./	AF	US-5,189,139-A	02-23-1993	Tuinstra et al.	
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/J.M./	AJ	US-5,569,424-A	10-29-1996	Amour	
/J.M./	AK	US-5,886,078-A	03-23-1999	Sullivan et al.	
/J.M./	AL	US-6,191,228-B1	02-20-2001	Nosler et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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					T <sup>6</sup>

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/J.M./	QA	GILLESPIE et al., "Development Of A Recycled Plastic/Composite Crosstie", American Railway Engineering Association, Vol. 98, No. 760, pp.181-187, 1997.			
/J.M./	QB	NOSKER et al. "A Performance-Based Approach To The Development Of A recycled Plastic/Composite Crosstie", Proc. Society of Plastic Engineers, ANTE Conference, 1998.			

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